Case 1:08-cv-09707-JSR Document 24 File Document 24 File

THE CITY OF NEW YORK, CONSOLIDATED : EDISON COMPANY OF NEW YORK, INC., and : EMPIRE CITY SUBWAY COMPANY (LIMITED), :

Defendants.

JED S. RAKOFF, U.S.D.J.

For the reasons stated from the bench today, <u>see</u> transcript, the Court grants defendant City of New York's Motion for Dismissal and Summary Judgment with prejudice.

SO ORDERED.

JED S. RAKOFF, V.S.D.J.

Dated: New York, New York

September 22, 2009